

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS**

In re: _____) Chapter 11
)
BUILDERS CHOICE, INC.) Case No. 25-33831
)
Debtors.)
)
)
_____)

Debtor's Motion for Sanctions for Willful Violation of the Automatic Stay

Builder's Choice, Inc. ("Debtor"), by and through its undersigned counsel, respectfully submits this Emergency Motion for Sanctions against Stanley Tidwell ("Tidwell") pursuant to 11 U.S.C. §§ 105(a) and 362(k) for willful violations of the automatic stay that took place on July 2, 2025. In support of this Motion, Debtor states as follows:

I. Jurisdiction and Venue

1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding under 28 U.S.C. § 157(b)(2). Venue is proper under 28 U.S.C. §§ 1408 and 1409.

II. Background

2. On July 2, 2025, Debtor filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code.¹

3. Immediately upon the filing, the automatic stay pursuant to 11 U.S.C. § 362(a) went into effect, enjoining all acts to obtain possession of property of the estate or to exercise control over property of the estate.

¹ The Debtor intends to obtain approval to retain FisherBroyles, LLP as counsel early next week, July 7, 2025.

4. Despite the automatic stay, Tidwell trespassed onto BCI premises on the same date, locked BCI's executive staff out of their offices, and attempted to freeze BCI's bank accounts and restrict access to the company's information technology systems.

5. These actions were taken knowingly and willfully, and in direct violation of the automatic stay. Tidwell was aware of the bankruptcy filing.

III. Relief Requested

6. Debtor respectfully requests that this Court impose sanctions against Tidwell pursuant to 11 U.S.C. § 362(k), including but not limited to: (a) actual damages, (b) punitive damages, and (c) attorneys' fees and costs incurred by Debtor as a result of Tidwell's willful misconduct.

7. This Motion is supported by the Declaration of Ivan Madrigal, which sets forth additional facts and context regarding the July 2, 2025 violations.

IV. Conclusion

WHEREFORE, Debtor respectfully requests that the Court enter an order: (a) finding that Tidwell willfully violated the automatic stay; (b) awarding Debtor actual damages, punitive damages, and attorneys' fees and costs; and (c) granting such other and further relief as the Court deems just and proper.

Dated: July 3, 2025

Respectfully submitted,

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Counsel for the Debtor

CERTIFICATE OF SERVICE

I hereby certify that on July 3, 2025, a true and correct copy of the foregoing document was served via email and United States Mail, First Class postage prepaid, or email, upon the following parties:

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Dated: July 3, 2025

Respectfully submitted,

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